

6-30-05

JC06 Rec'd PCT/PTO 28 JUN 2005 PET



Docket No.: 04654/0200039-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gopalan Balasubramanian et al.

Application No.: 10/532,273

Filed: April 20, 2005

Art Unit: To Be Assigned

For: NOVEL TRICYCLIC COMPOUNDS  
USEFUL FOR THE TREATMENT OF  
INFLAMMATORY AND ALLERGIC  
DISORDERS: PROCESS FOR THEIR  
PREPARATION AND PHARMACEUTICAL  
COMPOSITIONS CONTAINING THEM

Examiner: To Be Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each Foreign Patent Document and Non-Patent Literature Document on the PTO/SB/08 is enclosed. Pursuant to the Notice issued by the United States Patent and Trademark

Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), copies of the United States Patents on PTO/SB08 are not being submitted.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: June 28, 2005

Respectfully submitted,

By

Nicholas J. DiCeglie, Jr.

Registration No.: 51,615

DARBY & DARBY P.C.

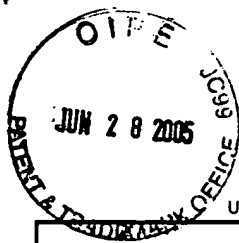
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PTO/SB/08a/b (08-03)  
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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/532,273
				Filing Date	April 20, 2005
				First Named Inventor	Balasubramanian Gopalan
				Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	1	of	2	Attorney Docket Number	04654/0200039-USO

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US-4,222,944	09-16-1980	Berger et al.	
	2	US-5,814,651	09-29-1998	Duplantier et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	3	DE 2,059,358	06-09-1971	Merck & Co. Inc.		
	4	EP 0 497 564 A1	08-05-1992	Rhone-Poulenc Rorer Limited		
	5	EP 1 270 577 A1	01-02-2003	Takeda Chemical Industries		
	6	WO 92/10476 A1	06-25-1992	G.D. Searle & Co.		
	7	WO 93/19747 A1	10-14-1993	Smith-Kline Beecham Corp.		
	8	WO 94/02465 A1	02-03-1994	Rhone-Poulenc Rorer Limited		
	9	WO 94/20446 A1	09-15-1994	Celltech Limited		
	10	WO 95/01338 A1	01-12-1995	Byk Gulden Lomberg Chemie.		
	11	WO 95/04046 A1	02-09-1995	Rhone-Poulenc Rorer Limited		
	12	WO 95/09837 A1	04-13-1995	Smith-Kline Beecham Corp.		
	13	WO 95/20578 A1	08-03-1995	Rhone-Poulenc Rorer Limited		
	14	WO 95/24381 A1	09-14-1995	Smith-Kline Beecham Corp.		
	15	WO 99/47545 A2	09-23-1999	Vertex Pharmaceuticals Inc.		
	16	WO 01/70673 A2	09-27-2001	Dupont Pharmaceutical Co.		
	17	WO 01/70746 A1	09-27-2001	Takeda Chemical Industries		
	18	WO 01/27107 A2	04-19-2001	Bristol -Myers Squibb Co.		
	19	WO 02/060867 A2	08-08-2002	Insight Strategy & Marketing		
	20	WO 2004/016596 A1	02-26-2004	Glenmark Pharmaceuticals		
	21	WO 2004/022536 A1	03-18-2004	Glenmark Pharmaceuticals		
	22	WO 2004/037805 A1	05-06-2004	Glenmark Pharmaceuticals		
	23	EP 62158253 (Abstract)	07-14-1987	Kirin Brewery Co Ltd.		
	24	GB -1,285,398	08-16-1972	Merck & Co. Inc.		
	25	GB -1,041,861	02-26-1963	Organon Laboratories Ltd.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

W:046		Date Considered	
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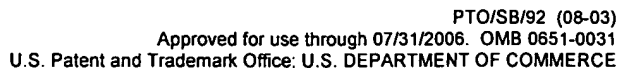
<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
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				First Named Inventor	Balasubramanian Gopalan
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				Examiner Name	To Be Assigned
Sheet	2	of	2	Attorney Docket Number	04654/0200039-US0

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	26	KOYAMA et al., Heterocycles 1981; 16(6):969-972	
	27	HULME et al., Bioorganic and Medicinal Chemistry Letters 1998; 8:175-178	
	28	SILVESTRE et al., Drugs of the Future 1998; 23(6):607-615	
	29	FOX et al., J. Med. Chem. 2002; 45(2):360-370	

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